G. R. S. IX-5]

Previous references.

1896

~~191~~

(L.R)

File No. 13

Serial Nos. 1—10.

Later references.

L.R 13 of 96 sts 11 to 14.

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 1 to 10.

M. ~~Part~~ B for October 1900.

SUBJECT.

Recovery of the loan advanced to Jampal Naik for the irrigation well.

(Countermarked)

Indexed

To Rev Br:
Please put up the Govt Pro: quoted in the petition
[illegible]
3/8/97

Refs put up.
[illegible]
4/8/97

Submitted
[illegible]
18/8/97

1897 (5)

No. 425 R.

Name of Petitioner Jampanna Nair Pallizar

Village Kassaba Challikiri

Taluk Challikiri.

District Chittaldroog.

Date of Arzi 7th August /97

Date of Receipt 7th August /97

Date of Disposal

No. of Enclosure Nil.

Section
File No
Serial No

Petr's case was decided in the Rev Branch on a reference by the Dy Comr.
Petr now practically for prays for a reconsideration of the Govt order
Sub to Secretary
[illegible] 19/8/97

Sub'd Bd Cr C
20-8-97

Rd 7.30 PM
20/8
Say that the Petr must pay up the balance & that he is not entitled to any [illegible]
Copy of Endorse WD 7 Sept
[illegible]
21/8/97

ABSTRACT.

States as follows:

1. That he had a "Takavi of 400 Rs, for sinking a well in his land Survey No 5.

2. That he first received Rs 200 and commenced with the work of the well that after he submitted an account of the work executed by him for Rs 200, he had the other portion of Takavi (Rs 200) paid to him that as the well had a fal

supply of water from the recent rains, the sides of it have dropped down and in consequence the work had to be stopped.

. That altho the Taluk and the District authorities have seen the state of the well yet a is demand notice is given to him in accordance with the Huzur Pro:

No. 3888 of 28.7.97, directing the recovery of the full amount of Takavi with interest consequent upon the work for which it was paid, has not been carried out.

R 3888 of 30.6.97

4. That the petitioner has not spent a pie of the Takavi amount on any other purpose but the well work.

5. That the petitioner prays that orders may be given to receive the Takavi amount by annual instalments of small sums.

The Second Councillor wants "Papers connected with Palayyar Jampal Naik of Chellakere, Chitaldrug Distt"

Subd to Secy for favor of orders.

Obedient Servant
[illegible]

Office (Rev) - Returned with thanks
[illegible] 3.9.97

This I think is about the immediate recovery of a loan advanced a few years ago on account of an Irrigation well - The file must be in the Rev Deptt - Submit it at once to the 2d Cr together with any petition recently received from Jampal Naik -

[illegible]

1-9-97

Submitted to Councillor with refs

Subd with refs. [illegible] RD 7.10 pm 9

GOVERNMENT OF MYSORE

4

My dear Srinivas Iy[illegible]

I give this note [illegible]

the Polygar of Chi[illegible]

who owes some mon[illegible]

for a mill advance - [illegible]

has been persistently

pleading his inability

to pay at once. If it is

so it is perhaps in th[illegible]

to sell his property. If

Dr Smith is of that [illegible]

permit him to postp[illegible]

Rev.

Let me see the file at once. [initial]

9-5-97

[illegible] 13/6/97

[illegible]

Please staff at once & submit - If he is really poor remarkable to pay at once the collection should be put off for a year & then made into equal annual instalments. [illegible] 1079.

5

the collection for a year
or so & collect the same
instalments of one
two years

Yours very sincerely
Michael Lewis Lewis

1.97

List of Letters in the Case

Serial Number	Letter		From whom	To whom
	No.	Date		

6

CHIEF SECRETARY'S OFFICE.

REVENUE BRANCH.

OFFICE NOTE.

SUBJECT. Recovery of the advance of Rs 400/- made to Jampal Naik for sinking an irrigation well in his Khate land.

LAST REFERENCE. Letter No. 873/809 dated 25-4-97

from the Dy Commr Chitaldrooy

A loan of Rs 400/- was sanctioned and advanced in 2 instalments to Jampal Naik, one of the members of the late Pollagar family for sinking an irrigation well, i-

Has this any bearing on the case?

his Khate land, survey number 5 of the Chellakere village, on the condition that the well should be completed within 6 months from the date of advance — (22nd November 91)

The security of one Kataffa Naik, son of Bharamanna Naik, was also taken to the effect that if the well was not completed within the specified time, the whole amount then advanced to the applicant was recoverable ~~would be recovered~~ from him

(1) vide Moochalika

~~and also from his~~
~~Estates~~ or his property.

(2)
303 D/11-3-93.

2. On the 11th March/93 the applicant applied for a further loan of Rs 200/- on the ground that the sum of Rs 400/- already granted was insufficient and that the well could not be completed within the prescribed time. The special duty officer who also was in charge of the District (Mr B.G. Krishnaiyar) after inspecting the well refused to grant any further sum

(3)
No 213 D/14-3-93

~~be forth~~ before the
work was finally
completed and gave
the applicant time to
finish the well till
the end of March/93.
It was extended
again till the end of
March/94 and then
again to 15th June/94.
The applts properties were attached
as he failed to complete the work.
On the application
of ~~the applicant~~ Jampal Naik that he was
~~the~~ unable to complete
the work, that the amount
of Rs 400/- advanced to
him ~~may~~ might be recovered
in 4 annual instalments
of Rs 100/- each and that
the attachment and sale
of his property ~~should~~ might be
stayed

(4)

1845/22-8-94

stopped, an order was issued by the then Deputy Commr. (Mr. C. Strenuvasi Sugar) ~~stating~~ to the effect that the spot was inspected by him in person, that the recovery by instalments could not be ordered unless the work was completed; ~~and~~ that, if necessary, 6 months' time would be allowed to him for the completion of the well; and that if the applicant consented ~~approved~~ a Moochalika to this effect might be ~~to be~~ taken from him. ~~to the effect.~~

(5)

1018 D/11-2-95

(6)

701 D/7-11-95

3. The amildar reported that ~~[illegible]~~

the 6 months time
again allowed, to the
applicant, had elapsed
and that the work ~~was~~ had
not been completed.
~~Permission was therefore~~
& therefore requested orders for the ~~to~~ attachment of
the properties of the
applicant and of the
Surity

4. The General Agt. Comr.
to whom the records
were transmitted by
the Dy Comr. for disposal,
issued an order to the
Amildar stating that
he inspected the spot
in person, ~~on the 23rd Idem~~,
that the applicant had consented
to complete the work
in 6 months' time
commencing ~~the work~~

(7)
111 D/26-11-5

from January 1896 and that the Amildar should take coercive measures for the recovery of the full advance without making any further reference on the subject, if the work was not commenced at all.

(8)

7140/12.3.96

5. The Amildar in enclosing the attachment notice and the Moochalika executed by the applicant reported that the applicant had just then commenced the work and solicited orders as to whether further time could be given.

(9)

The time for the Completion of ~~the per work~~ the well was extended by the Gt. Agt. Commr. till the end of June/96. No 290 D/5-4-96

6. The Amildar reported that earthwork was done only for 8 days and the work was ~~then~~ not completed. ~~Completely stopped~~ (10) 419 D/10-4-96

(11)

The Amildar ~~in reply~~ was informed in reply that the coercive measures should at once be adopted for the recovery of the advance amount with interest, as the applicant had failed to execute the work from the very Commencement 410 D/10-6-96

(12)

Applic D/ 13.7.96

The applicant pleads his inability to push on with the work and complete it and prays that ~~a period~~ ~~of~~ 5 years time be given him for the repayment of the advance of Rs 400/. ~~while he prayed for 4 years time on a previous occasion.~~

7. Out of the amount of Rs 400/. advanced, work only to the extent of Rs 194-11-3 is said to have been ~~[illegible]~~ executed ~~Done~~ though several extensions of time from November/91 were granted.

8. The Dy Commr. now reports that he

has been aware of the extremely poor circumstances of the applicant and also of the fact that it is useless to make any further advances to him and recommends that the advance of Rs 400/- may be ordered to be recovered from him in four annual instalments.

The Dy Comm adds that if this recommendation is sanctioned, he would issue a loan order making the sum advanced repayable in 4 years.

Submitted for orders.

[illegible]

8/6/97 9/6/97

Subd to Secty [illegible] 15/6/97

Subd to 2d Cr

I don't think the applicant deserves any consideration - He spent upon the well only a portion of the loan taken by him - He has slept over the work for nearly 6 years. Mere poverty is not a sufficient [illegible]

16

& pecat treatment for which the applicant has been recommended.

~~[illegible]~~ Q

18/6/97

Rdb. 20 Pm
18/6/97.

Which 20 - I am afraid advances were made without any discrimination. The advance must be recovered in the usual course.

19/6/97 [illegible]

[illegible] for draft [illegible] 24/6/97

[illegible] 24/6/97

Office Note Continued

The above order was issued in Govt. Pro. No. 11813-14 / R 3888 dt 20-6-97.

On the applicant's personal representation to the 2nd Councillor on 8-9-97 it was ordered in Govt. Pro. No. 3122-23 / R 996 dt 22-9-97

that if the Dy Commr considered that the applicant was really poor and unable to pay the advance at once the collection might be put off for a year and then the amount recovered in two equal annual instalments.

The Dy Commr now reports that the appt has till now paid up only a small sum of Rs 90/- towards the liquidation of the loan, that he has been aware of the extremely poor circumstances of the applicant and that in consideration of his poverty and the respectability of the family to which he belongs and also the loss he has sustained in his

i.e. Half to be recovered in Nov 1899 & the other half in Nov 1899

No 344/531 Dy 21-11-99

18

attempt to consider the work for which the loan was granted he recommends the recovery of the balance of the loan due at the rate of Rs 10/- a month and the remission of the interest on the loan.

Submitted to Sec'y for orders.

23/12/99

Intd to Revn E. Dn.

The time granted by Govt has expired — Recovery of Principal by monthly instalments of 10 Rs each, & remission of Intt, have been recommended on the scale of the Religious Poverty & respectability.

27/12/99.

This does not come under the Rules but is a matter for Govt's mercy

3/1/00
547

Recd back from the 2nd Councillor on 7.9.00

Submitted to 7th Counsr

[illegible] 12/9/00

Ro 7 P.M.
13-9-00

The Dy Com should try to recover the loan in the best way he can - All those officers who advised the money without seeing that the work was done are responsible for this most objectionable transaction - No definite time or instal-ments will be sanctioned. & there is no use of such concession as no act of consi-deration will apparently have any effect upon this debtor

[illegible]

State all the facts in the order of [illegible] 10.X.00

[illegible]

15-10-00

Gen. Serial No. 30.]

R No. 13919
18 FEB. 97
DEWAN'S OFFICE.

1897

From The Deputy Commissioner
Chitaldroog District

(1)

To

The ~~Chief~~ Secretary to the Govt:
~~Dewan~~ of Mysore.
General and Rev: Departments

Dated 9th February 1897.

Despatched 13/3

Received

Enclosures No. A file of Vee Res

General No. 652
No. 602 of 1896-97.

In reply to

SUBJECT.

Recommending that permission may be given to recover in 4 annual instalments the loan of Rs 400 advanced to one Jampal nayak of Chellakere

References—(to be entered only in the Dewan's Office).

RW 18. 2. 97

Submd with a draft
5/3/97

Section
File No
Serial No

Section
File No
Serial No

d with draft to Secty
25/3/97

No. 652/602 Ens. A file of V. Res. Deputy Commissioner's Office Chitaldroog District
Dated 9th/13th February 197.

To
The Secretary to the
Government of Mysore
General and Revenue Departments

Sir,

I have the honor to submit here-with the vernacular papers ending with the General Assistant Commissioner's Yadi No. 67 connected with a loan of Rs: 400 granted to one Jampal naik of Chellakere one of the members belonging to the late Pallegar family for the construction of an irrigation Well in his Khati land No. 5 of the Chellakere village.

2. Out of the said sum of Rs: 400/. the first payment of Rs: 200/. was made to him on the 22d November 1891 and the remaining sum was also paid to him on the 29th February 1892.

3. As the work was not completed within the prescribed time, the Talook authorities demanded the repayment of the amount of Rs: 400/.

4. Thereupon, on the 11th March 1893 Jampal Naik applied to the then Sub division Officer in charge of Irrigation

GOVERNMENT OF INDIA

Irrigation Wells for a further sum of Rs: 200/. on the ground that the sum of Rs: 400/. already granted was insufficient and that he could not complete the work within the prescribed time. The Sub Division Officer after inspecting the Well refused to grant any further sum before the work was finally completed and gave him time till the end of March 1893. It was again extended till the end of March 1894. The work has not as yet been completed.

5. The Pallégar pleads his inability to push on with the work and complete it and prays that a period of 5 years time be given him for the repayment of the sum of Rs: 400/.

6. I am aware of the extremely poor circumstances of the Pallégar and also of the fact that it is useless to make any further advances to him, I therefore beg to recommend that permission be given to recover the advance made in 4 annual instalments.

I have the honour to be Sir
Your most obedient servant.

Deputy Commissioner.

2

To

Section
File No
Serial No

The Dy Commr.
Chitaldroog

D/ No. 8499 / ~~472 96~~ 2861 of 26/3/97. 30

His No. 652 / 602 D/ 9th Feb 97

requesting ~~recommending that~~ permission ~~may be given~~, to recover in 4 annual instalments, the loan of Rs 400/- advanced to one Jampaul Naik for sinking an Irrigt. well in his land Survey No 5 in Kasba Chellakere, Chellakere's Taluk.

In returning the vernacular papers received with the above, has the honor

to request that the
same may be resubmitted
(~~[illegible]~~ with a férist) with the original
application presented
by the applicant, ~~[illegible]~~
on which the loan
of ~~Rs~~ 400/. was sanctioned
by the late special
duty officer and ~~the~~
other papers connected
with the payment of instalments out of the said amount.
~~therewith for reference~~
~~and to state that~~
The well for which
the above advance ~~was~~ has been made
should be inspected
by a responsible
~~[illegible]~~ officer and
a report submitted

as to the nature
and ~~amount~~ value of
work executed
for the well.

Byndo

25/3/97

26/3/97

22/3/97

23/3

H.V.

Gen. 31.]

189

Gl. No. 7156
R No. 5046
28 APR. 97
DEWAN'S OFFICE.

From The Deputy Commissioner
Chitaldrug district

Section
File No. 13 To 76
Serial No.

The Secretary to the Government of
~~Dewan of~~ Mysore.

Revenue and General departments

Dated 25th } April 1897
Despatched 27
Received

General No. 873
No. 809

Enclosure No. 2 files of V. Papers.

With reference to docket No 8499/2-96 dated 26th Ultimo has the honor to state that the undersigned inspected the well sunk by Jampal Naik of Chellakere. The well appears to have been fully sunk and rivetted with stones, but owing to the sides not being firm the rivetment has slipped down. In its present state it

Rw 29.4.97
Rep. pub. rep.
3/5
Ro 3/5
Kgr
11/5/97
Submitted with a Memo.
25/5/97

it is not possible to form any estimate of the value of work done. If the suggestion made in this Office No. 652/602 dated 9th February last is approved of, a loan order will be issued making the sum advanced repayable in 4 years.

2. The Vernacular papers on the subject are herewith retransmitted accompanied by a Ferist. The original application for loans and the papers connected with it are also incorporated in the file now sent

[illegible]

Deputy Commissioner
Chitaldrug District

(4)

Read.-

Correspondence

Ending with letter

No. 873/809 dt/25th April/97

from the Deputy Commr.

Chitaldroog dt. requesting

permission to recover

in 4 annual instal-

ments, the loan of

Rs 400/- advanced to

one Jampal Naik

for sinking an

irrigation well in

his land Survey No 5

in Kasba Chellakere

Taluk.

Order thereon.

It is observed

that the applicant

Entered
no not ~~[illegible]~~ the reqr

11813-14
R. 3888 dt 30/6/97
3.-7
W.V.P.

deserves his consideration ~~whatever~~ as he has spent upon the work only a portion of the loan taken by him, ~~that he has~~ & slept over the work for nearly 6 years and that the advances were made without any discrimination. Mere poverty is not a sufficient ground for the special treatment for which the applicant has been recommended by the deputy Commr.

Govt. ~~therefore~~ are afraid that advances in this & similar cases were made without any discrimination & they decide that the advance of Rs 400/.

inferred.

letter read above

~~must~~ be recovered

in the usual Course

29/6/97

30/6/97

26/6/97 · 26/6/97

To

The Bd Cons Chitatoray

ret: Verm: records

& Comptroller.

MYSORE DEWAN'S OFFICE
PETITION DEPARTMENT
REGD. NO 425 R
DATE 7-8-91

[illegible]

[illegible]

[illegible] 200 [illegible]
[illegible] 200 [illegible]

[illegible]

[illegible]

[illegible] 7-8-97 [illegible]

No Petn 425

Section [illegible]
File No [illegible]
Serial No [illegible]

[illegible]

[illegible] 400 [illegible]

[illegible] 7.8.97 [illegible] 425 [illegible]

[illegible]

Bijender

2d (in order)

27/8/97

Sect

File

Serial

26/8/97 26/8/97

Copy of the foregoing No. 2405 / R. 774 dt 31/8/97 1-9

is forwarded to the

Dy Comm. of Chilatorang

Wt. for information

in continuation of

Govt. Pro. No. 11813-14 / 03888 dt

30-6-97

Bijender

26/8/97 26/8/97

Read again:- (258)

Section
File No
Serial No

Govt. Pro No. 11813.14 / R3888

D/ 30th June/97 ~~stating~~ ordering the recovery under the ~~that permission, to~~ Rules of ~~recover in instalments~~ the loan of Rs 400/- advanced to Jampal Naik for sinking an irrigation well in his land Survey No. 5 in Custe a Chellakere. ~~Cannot be~~ granted and that the amount should be recovered in its usual course according to rules.

Also Endorsement No. 425 D/ 27. 8. 97 given to Petitioner stating that he must pay up

the amount ~~and that~~ according to the rules ~~he is not entitled to any Concession.~~

30

25

Order thereon No. 3122-23 / R.996 D 22/22-9-97

Jampal Naik ~~is reported to be poor and he is~~ has been persistently pleading his inability to pay at once the amount advanced to him for sinking an irrigation well in his holding. If it is really so, govt. observe it is perhaps inexpedient to sell his property. If the deputy Commr. ~~is of opinion that~~ considers that the applicant is really poor

and unable to pay the advance at once, ~~the collection may~~ the Dy Comr may put off the collection for a year and then recover the amount due in two equal annual instalments.

it seems inexpedient to sell his property and the Dy Comr may therefore

[illegible] 17/9/97

[illegible] 18/9/97

[illegible] 10/9/97

[illegible] 10/9/97

Secy

To The Dy Comr Chitaldroog & Comptroller.

Endorsement to Jampal Naik [illegible]

Landlord for the [illegible] [illegible] 18/9/97

R 1800

Gen. Serial No. 30.]

1899

DEPARTMENT
No. 3354
NOV 24 1899
No
DEWAN'S OFFICE

From

The Deputy Commissioner,
Chitaldroog Distt

To

The Chief Secretary to the Govt
~~Dewan~~ of Mysore,

General & Revenue Depts.

Section L.R.
File No. 13.96
Serial No. 9

Dated 21st November 1899.

Despatched

Received

Enclosures No. nil

General No. 344
No. 331

In reply to 3122.3 / R.996 & 22d September 1899

SUBJECT.

Submitting proposals for the recovery of the amount due by Jampal Naik of Phellakere, an irrigation well loan-holder in the Distt.

R 23.11.99

Sub. with office note
Continued
21/12/99

References (to be entered only in the Dewan's Office.)

Refs. put up
29/11/99

No: 344/331

Deputy Commissioner's Office
Chitaldrug District,
Dated, 21st November 1899.

To,

The Secretary to the
Government of Mysore,
General and Revenue Department

Sir,

With reference to Government Proceedings No: 3122-23/R.996 dated 22nd September 1897 directing that the collection of the advance of Rs. 400/- made to Jampalnaik of Chellakere for sinking an irrigation well be postponed for a year and then the recovery be made in two annual instalments, I have the honor to state that the loan-holder has till now paid up only a sum of Rs. 90/- towards the loan due by him. Owing to his impoverished condition, he pleads his inability to repay the loan according to the instalments as already settled, and prays that he may be permitted to make a monthly payment of Rs. 10/- towards the adjustment of the balance of the loan out of the small pension of Rs. 30/- he gets as a member of the late Pallegar family, reserving

the

the balance to be appropriated towards his maintenance and payment of other minor debts incurred elsewhere and that the interest on the loan may be remitted.

2. I have made personal enquiries in the matter and find that the circumstances of the individual are as represented by him. In consideration of his poverty and the respectable family to which he belongs and also the loss he has sustained in his attempt to construct the well for which the loan was granted, I recommend that Government will be pleased to authorize the recovery of the balance of the loan due at the rate of 10 Rupees a month and sanction the remission of the interest on the loan.

I have the honor to be
Sir
Your most obedient Servant
[illegible]
for Deputy Commissioner

[illegible]

(10)

Read:-

Correspondence ending with letter No. 344/331 dt/21st November 1899 from the Dy Commr. Chitaldroog Dt. regarding recovery of the advance of Rs 400/- made to one Jampal hair for sinking an irrigation well

Section L. R.
File No 13-96
Serial No 10

No. 3477-78 dt 27.10.00
R 1137

Order thereon.

A loan of Rs 400/- was sanctioned and advanced in two instalments to Jampal hair for sinking an irrigation well, in his Khatelaud Survey No 5 of the Chellakere village, on the condition that the well should be completed within 6 months from the date of advance viz. 22nd November 1899.

Copd
26/10/00

The Security of the Kataffa Naik, Son of Bharamanna Naik, was also taken ~~to the effect that~~ if the well was not completed within the specified time. ~~the whole amount then advanced to the applicant was recoverable from him (Kataffa Naik) or his property.~~

binding him to be responsible for the money

2. On the 11th March 1893 the applicant applied for a further loan of Rs 200/. on the ground that the sum of Rs 400/. already granted was insufficient and that the well could not be completed within the prescribed time.

The special duty officer, who also was in charge of the district, Mr. B. G.

refused to grant any further ~~loan~~ advance before the work was finally completed and gave the applicant time to finish the work till the 3rd March/93. It was extended again till the 3rd of March 1894 & then again to 15th June 1894. The applicant's property ~~were~~ was attached as he failed to complete the work.

3. On the application of Jagpal Singh that he was unable to complete the work, that the amount of Rs 400/- advanced to him might be recovered in 4 annual instalments of Rs 100/- each and that the attachment

and sale of his property
might be stopped, ~~the~~
~~order was issued by~~
the then Dy Commr.
(Mr C. Sreenivasa Iyengar), who also inspected the work,
~~to the effect that the~~
~~spot was inspected~~
~~by him in person~~ directed, that
the recovery by instalments
could not be ordered
unless the work was
completed, that if
necessary 6 months
time would be allowed
~~to him~~ for the completion
of the well, and that
if the applicant consented
a Moochalika to this
effect might be taken
from him.
4. The Amildar
reported that the 6
months time again
allowed to the applicant
had elapsed and

that the work had not been completed, and therefore requested orders ~~for the attachment of the properties~~ to proceed against the property of the applicant and of the Surety.

5 The general Asgt. Commr. to whom the records were transmitted by the Dy Commr. for disposal issued an order to the Amildar stating that he inspected the spot in person, that the applicant had consented to complete the work in 6 months time commencing from January 96 and that the Amildar should take coercive measures for the recovery of the full advance without making any further

reference on the subject, if the work was not commenced at all.

6 The applicant pleads his inability to push on with the work and complete it and prayed that 5 years time be given him for the repayment of the advance.

6 The Amildar reported that earth work was done only for 8 days & the work left incomplete. He was thereupon asked to take steps for the recovery of the money due to Govt.

7 Out of the amount of Rs 400/- advanced, ~~[illegible]~~ work ~~[illegible]~~ to the extent of Rs 194-11-3 only is said to have been executed though several extensions of time from November/91 were granted.

8 In Govt. Pro No. 11813-4 / R3888 D/

ordered that as the applicant had spent only a portion of the loan taken by him and slept over the work for nearly 6 years, the amount advanced must be recovered with interest.

9. On the ~~applicants~~ personal representation made by the applicant ~~to the 1st Councillor~~ on 8.9.97, it was ordered in Govt. Proc: No. $\frac{3122-23}{R\ 996}$ dd/22-9-97, that if the Dy Commr. considered that the applicant was really poor and unable to pay the advance at once the collection might be put off for a year and then the amount recovered in two equal annual

The Wy Comm: now
reports that the applicant
has till now paid up
only a small sum of
Rs 90/- towards the
liquidation of the loan,
that he has been aware
of the extremely poor
circumstances of
the applicant and
that in consideration
of his poverty and the
respectability of the
family to which
he belongs and also
the loss he has sustained
in his attempt to
construct the well,
for which the loan
was granted, he
recommends the
recovery of the balance
of the loan due at
the rate of Rs 10/- a month
and the remission of
the interest on the loan.

The.

11. The Dy Commr. should

try and recover

the loan ~~with interest~~

in the best way

he can. All the ~~[illegible]~~

officers who advanced

the money without

seeing that the work

was done are responsible

for this most objectionable

transaction. No

definite time or

instalments will

be sanctioned, and

there is no ~~[illegible]~~ use

of such concession

as no act of consideration

will apparently have

any effect upon this

debtor.

Dissent

25/10/00

for Secy

To the Dy Commr Chittagong

& Comptroller.

1900-1901

GOVERNMENT OF MYSORE

REVENUE

Section 5 F
File No 13-96
Serial No 10

PROCEEDINGS

Dated 27th October 1900

No. 3477-78 / R. 1137

Passing orders regarding the recovery of the advance of Rs. 400 made to Jampal Naik for sinking an irrigation well in his land in Challakere Village.

SBP—6-11-1900—200

Section ... 13-98

READ—

Correspondence ending with letter No. 344—331, dated 21st November 1899, from the Deputy Commissioner, Chitaldrug District, regarding recovery of the advance of Rs. 400 made to one Jampal Naik for sinking an irrigation well.

No. 3477-78—R. 1137, DATED BANGALORE, 27TH OCTOBER 1900.

ORDER THEREON—A loan of Rs. 400 was sanctioned and advanced in two instalments to Jampal Naik for sinking an irrigation well, in his khate land Survey No. 5 of the Challakere village, on the condition that the well should be completed within six months from the date of advance, namely, 22nd November 1891. The security of one Kotappa Naik, son of Bharamanna Naik, was also taken binding him to be responsible for the money if the well was not completed within the specified time.

2. On the 11th March 1893, the applicant applied for a further loan of Rs. 200 on the ground that the sum of Rs. 400 already granted was insufficient and that the well could not be completed within the prescribed time. The Special Duty Officer, Mr. B. G. Krishnaiengar, who also was in charge of the district, after *inspecting the well*, refused to grant any further advance before the work was finally completed and gave the applicant time till the end of March 1893 to finish the well. It was extended again till the end of March 1894 and then again to 15th June 1894. The applicant's property was attached as he failed to complete the work.

3. On the application of Jampal Naik that he was unable to complete the work, that the amount of Rs. 400 advanced to him might be recovered in four annual instalments of Rs. 100 each and that the attachment and sale of his property might be stopped, the then Deputy Commissioner (Mr. C. Sreenivasiengar), who also inspected the work, directed that the recovery by instalments could not be ordered unless the work was completed, that, if necessary, six months' time would be allowed for the completion of the well, and that if the applicant consented, a muchalika to the effect might be taken from him.

4. The Amildar reported that the six months' time again allowed to the applicant had elapsed, and that the work had not been completed, and therefore requested orders to proceed against the property of the applicant and of the surety.

5. The General Assistant Commissioner, to whom the records were transmitted by the Deputy Commissioner for disposal, issued an order to the Amildar stating that he inspected the spot in person, that the applicant had consented to complete the work in six months' time, commencing from January 1896, and that the Amildar should take coercive measures for the recovery of the full advance without making any further reference on the subject, if the work was not commenced at all.

6. The Amildar reported that earth-work was done only for eight days and the work left incomplete. He was thereupon asked to take steps for the recovery of the money due to Government. The applicant pleads his inability to push on with the work and complete it and prays that five years' time be given him for the re-payment of the advance.

7. Out of the amount of Rs. 400 advanced, work to the extent of Rs. 194-11-3 only is said to have been executed though several extensions of time from November 1891 were granted.

Revenue, dated 27th October 1900.

8. In Government Proceedings No. 11813-4—R. 3888, dated 20th June 1897, it was ordered that as the applicant had spent only a portion of the loan taken by him and slept over the work for nearly six years, the amount advanced must be recovered with interest.

9. On the personal representation made by the applicant on 8th September 1897, it was ordered in Government Proceedings No. 3122-23—R. 996, dated 22nd September 1897, that if the Deputy Commissioner considered that the applicant was really poor and unable to pay the advance at once, the collection might be put off for a year and then the amount recovered in two equal annual instalments.

10. The Deputy Commissioner now reports that the applicant has till now paid up only a small sum of Rs. 90 towards the liquidation of the loan, that he has been aware of the extremely poor circumstances of the applicant and that in consideration of his poverty and the respectability of the family to which he belongs and also the loss he has sustained in his attempt to construct the well, for which the loan was granted, he recommends the recovery of the balance of the loan due at the rate of Rs. 10 a month and the remission of the interest on the loan.

11. The Deputy Commissioner should try and recover the loan in the best way he can. All the Officers who advanced the money without seeing that the work was done are responsible for this most objectionable transaction. No definite time or instalments will be sanctioned, and there is no use of such concession, as no act of consideration will apparently have any effect upon this debtor.

L. ANANTASAMI RAO,
for *Secy. to Govt., Gen. & Rev. Depts.*

To—The Deputy Commissioner, Chitaldrug District.
The Comptroller to the Government of Mysore.

Exd.—C.V.